

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DANIEL D'AMBLY, AARON WOLKIND, STEVE
HARTLEY, RICHARD SCHWETZ, JOBEL BARBOSA,
MATTHEW REIDINGER, JOHN HUGO, SEAN-
MICHAEL DAVID SCOTT, THOMAS LOUDEN,
ZACHARY REHL, AMANDA REHL, K.R., a minor, by
and through her father ZACHARY REHL, and her mother
AMANDA REHL, MARK ANTHONY TUCCI,

Plaintiffs,

vs.

CHRISTIAN EXOO a/k/a ANTIFASH GORDON, ST.
LAWRENCE UNIVERSITY, TRIBUNE PUBLISHING
COMPANY, NEW YORK DAILY NEWS, VIJAYA
GADDE, TWITTER, INC., COHEN, WEISS AND
SIMON, LLP, UNNAMED ASSOCIATES 1 - 100.

Defendants.

CIVIL ACTION
NO.: 2:20-cv-
12880-
JMV-JAD

Hon. John M.
Vazquez, U.S.D.J.

Return Date:
February 7, 2021

**DECLARATION OF RICHARD TORRES IN SUPPORT OF DEFENDANT
CHRISTIAN EXOO'S MOTION TO DISMISS THE SECOND AMENDED
COMPLAINT WITH PREJUDICE**

RICHARD TORRES, an attorney admitted to practice in the State of New
Jersey and the United States District Court for the District of New Jersey, hereby
affirms under penalty of perjury that:

1. I am an attorney admitted to practice in this court. I represent
Defendant Christian Exoo in the above referenced action.

2. I have personal knowledge of the matters stated herein and, if called upon I could and would competently testify thereto.

3. I submit this declaration regarding the attached exhibits.

4. Attached as Exhibit A and B are true and correct copies of this Court's Opinion (Exh. A) and Order (Exh. B) dated November 1, 2021, dismissing Plaintiffs' First Amended and Supplemental Complaint.

5. Attached as Exhibit C is a true and correct copy of a signed declaration of Defendant Christian Exoo dated April 16, 2021, demonstrating he has no jurisdictional ties to the State of New Jersey.

6. Attached as Exhibit D-I through D-XI are true and correct copies of the Twitter.com tweets from Defendant Exoo referenced in the Second Amended Complaint. Exhibit D-I through D-XI are incorporated into the Second Amended Complaint by reference. *See* Second Amended Complaint at ¶¶ 1, 2, 5-13, 16, 29, 30, 33, 34, 36, 37, 40, 43, 45-50, 52, 53, 55-57, 60, 64, 74, 78-82, 84, 88-90, 93-95, 98, 99, 101, 102, 107, 108-111, 113-116, 119, 120, 122-124, 126, 128, 129, 132, 134, 138, 139, 144, 146, 147, 157-159, 161, 172, 174-179, 182-184, 189-193, 208, 210.

7. Attached as Exhibit E-I and E-II are true and correct copies of the 2019 (E-I) and 2020 (E-II) Terrorism Threat Assessment Report of the New Jersey

Office of Home Security and Preparedness. The government report are publicly
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available and may be found at the following internet websites:

https://www.njhomelandsecurity.gov/s/ThreatAssessment-Booklet-2019_Final.pdf

<https://www.njhomelandsecurity.gov/s/2020-Terrorism-Threat-Assessment.pdf>.

These government reports are judicially noticeable pursuant to *Fellner v. Tri-Union Seafoods, L.L.C.*, Civil Action No. 06-CV-0688 (DMC), 2010 U.S. Dist. LEXIS 36195, at *19 n.8 (D.N.J. Apr. 13, 2010) (taking judicial notice of publicly available governmental reports). *See also In re Wellbutrin SR/Zyban Antitrust Litigation*, 281 F. Supp.2d 751, 754 (E.D.Pa. 2003) (taking judicial notice of FDA report posted on the official FDA website).

8. Attached as Exhibit F is a true and correct copy of ACCUSED ZACHARY REHL'S THIRD SUPPLEMENT IN SUPPORT OF HIS RENEWED MOTION FOR RELEASE OF ACCUSED ZACHARY REHL FROM PRE-TRIAL DETENTION AND MOTION TO RE-OPEN DETENTION HEARING filed by Rehl's criminal defense counsel in *U.S. v. Zachary Rehl*, 1:21-cr-00175 (D.D.C. March 10, 2021). Official documents in a federal court proceeding are judicially noticeable under F.R.E. 201.

9. Attached as Exhibit G is a true of copy of tweets by Twitter User WANaziWatch concerning Plaintiff Scott. Exhibit G is incorporated into the Second Amended Complaint by reference. *See* Second Amended Complaint at ¶¶ 12, 132-136.

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11. Attached as Exhibit H is a true of copy of an article by Puget Sound Anarchists, *Community Alert: Neo-Nazi Proud Boy Sean-David Michael Scott Exposed*, September 16, 2019 available at <https://pugetsoundanarchists.org/community-alert-neo-nazi-proud-boy-sean-michael-david-scott-exposed/> (last accessed 1/11/2022). Exhibit H is incorporated into the Second Amended Complaint by reference. *See* Second Amended Complaint at ¶¶ 12, 132-136.

11. Attached as Exhibit I is the Complaint affidavit filed by the government in the matter of *U.S. v. Mark Sahady*, 1:21-mj-00108 (D.D.C. January 18, 2021). Official documents in a federal court proceeding are judicially noticeable under F.R.E. 201.

12. Annexed as Exhibit J is the United States District Court for the District of New Jersey. [Model] RICO Case Order, Exhibit O to the District Court's Local Rules.

14. I affirm that I have not been notified by this Court that Plaintiffs served audio media upon the Court as mentioned in the Second Amended Complaint in footnote 19 on page 23 and footnote 20 on page 47. Likewise, I have not been notified that the Court received the video recordings referenced in footnote 22 on page 55.

15. I affirm that defense counsel for Mr. Exoo has not received the audio media as mentioned in the Second Amended Complaint in footnote 19 on page 23, footnote 20 on page 47. Likewise, I affirm that defense counsel for Mr. Exoo has not received the video recordings referenced in footnote 22 on page 55.

16. I affirm that counsel for Mr. Exoo has not received any communications from counsel for Plaintiffs concerning the production of these alleged recordings.

I declare under penalty of perjury under the laws of the District of New Jersey and the laws of State of New Jersey that the facts set forth above are true and correct.

Executed this 14th day of January 2022, at Springfield, New Jersey.

A handwritten signature in blue ink, appearing to read 'RT', is positioned above a horizontal line.

Richard Torres